

REMARKS

The present application is a continuation application of U.S. Patent application 09/477,344 (the '344 application), which was allowed on October 17, 2003. The present continuation application includes pending claims 1-20, of which claims 1, 6 and 15 are independent. It is believed that the following comments may assist in the examination.

Pending independent claim 1 is a revised version of allowed claim 1 in the '344 application. The revisions relate to a change in nomenclature of two of the claim elements. For the Examiner's convenience, pending claim 1 would result from the following amendments to allowed claim 1 of the '344 application:

1. A method for recording digital data ~~streams~~, comprising the steps of:

(a) recording received digital data transport stream units sequentially in a ~~sector which is a physical predetermined~~ recording unit, each digital data transport stream unit having a predetermined length;

(b) checking whether the size of the remaining area of the predetermined recording unit sector is less than the length of a digital data transport stream unit; and

(c) recording a received digital data transport stream unit across the remaining area of the predetermined recording unit sector and the next predetermined recording unit sector based upon the checked result.

Pending dependent claims 2, 3, 4 and 5 are identical to allowed dependent claims 2, 3, 6 and 7, respectively, of the '344 application, except for the changed nomenclature.

SUPPORT FOR CLAIMS 6-20

Pending independent claim 6 includes the revised nomenclature for the two elements and is also a hybrid claim, based upon portions of allowed claims 1, 2 and 6 in the '344 application.

Pending independent claim 15 includes the revised nomenclature for the two elements and is also a hybrid claim, based upon portions of allowed claims 17, 18 and 19 in the '344 application.

Support for the 2048 byte size of the predetermined recording unit, as recited in claims 7, 14 and 16, can be found in the specification on page 7, line 1.

Support for the digital video disk (DVD), as recited in claims 8, 12 and 17, can be found in the specification on page 2, line 29.

Support for padding the predetermined recording unit with null data after the last recorded digital data unit, as recited in claims 9, 13 and 20, can be found in the specification on page 8, lines 30-33.

Support for recording the number of digital data units and the start position of the first recorded digital data unit in the predetermined recording unit, particularly in the header information, as recited in claims 10-11 and 18-19, can be found in the specification on page 7, lines 10-14 and page 8, lines 9-11.

Conclusion

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Scott Lowe (Reg. No. 41,458) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By James T. Eller, Jr. #41,458
James T. Eller, Jr., #39,538

JTE/SLL/ndb
2950-0280P

P.O. Box 747
Falls Church, VA 22040-0747
(703) 205-8000